

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

**ROY HOLMES, TINA ALEXANDER,
and PATRICK NORRIS, and MELISSA GARNER,
Each Individually and on Behalf of
All Others Similarly Situated**

PLAINTIFFS

vs.

Case No. 4:20-cv-191-DPM

**STETSON COURIER, INC.
and JOHN STETSON**

DEFENDANTS

PLAINTIFFS' RENEWED MOTION TO REOPEN DISCOVERY

Plaintiffs Roy Holmes, Tina Alexander, Patrick Norris, and Melissa Garner, each individually and on behalf of all others similarly situated, by and through their attorneys of the Sanford Law Firm, PLLC, for their Renewed Motion to Reopen Discovery, state as follows:

1. On 11 November 2023, Plaintiffs filed a Motion to Reopen Discovery, stating that Defendants had failed to pay any of the judgment amounts and that collections efforts appear to be necessary. ECF No. 143.

2. On 15 December 2023 this Court denied the Motion to Reopen Discovery without prejudice, directing the Parties to file Joint Reports on Payments, but retained jurisdiction to sort out payment issues, if needed. ECF No. 147.

3. Plaintiff's third Report on Payments states that Defendants have stopped making payments and that Plaintiff remains of the opinion that reopening discovery is an

appropriate avenue for potential resolution of the Parties' current impasse. ECF No. 162.

4. Accordingly, Plaintiffs now renew their motion to seek leave to conduct post-judgment discovery pursuant to FRCP 69(a)(2), which states that “the judgment creditor... may obtain discovery from any person—including the judgment debtor—as provided in these rules or by the procedure of the state where the court is located.”

5. This Court entered judgment against Defendants for the benefit of Plaintiffs Roy Holmes, Tina Alexander, Patrick Norris, and Melissa Garner on 29 September 2023. ECF No. 138.

6. Subsequently, the Court also entered judgment against Defendants for Plaintiffs' attorneys' fees and costs. ECF No. 147.

7. Defendant has failed to pay the full judgment amount and has ceased making payments toward fulfilling that amount for almost two full months. Plaintiffs are certain collections efforts will be necessary.

8. The last discovery deadline for this matter concluded on 12 April 2022, with the class claims discovery cutoff. See ECF No. 48.

9. Plaintiffs seek leave to conduct post-judgment discovery in order to locate the assets of Defendants to effectuate the collection of the judgment.

10. Counsel for Plaintiffs has contacted counsel for Defendants regarding Defendants' stance as to this Motion. However, no response has been received. Accordingly, Plaintiffs assume that this Motion is **opposed**.

WHEREFORE, premises considered, Plaintiffs respectfully request an order of this Court granting them leave to conduct post-judgment discovery, and for such other relief as may be just and proper.

Respectfully submitted,

**ROY HOLMES, TINA ALEXANDER,
PATRICK NORRIS and MELISSA
GARNER, PLAINTIFFS**

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